

DNREC Building Line

1979 vs. 2004

Building Line (Beach Preservation Act)

- ▶ Means a line generally paralleling the coast, seaward of which construction of any kind shall be prohibited without a permit or letter of approval from the Department.

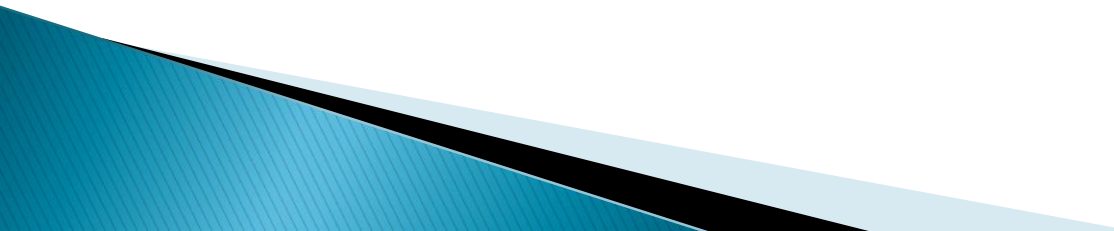
Prior to 1981 Regulations

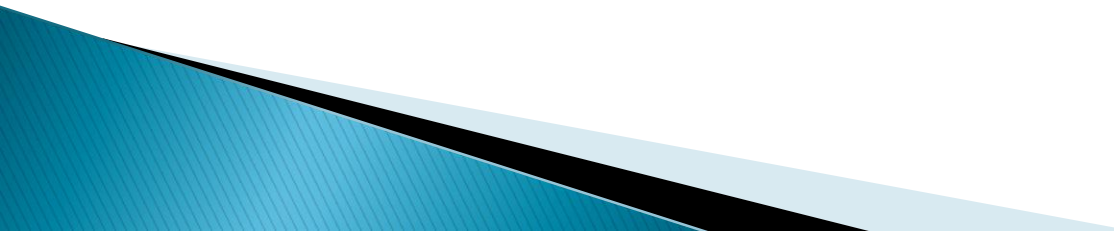
The Building Line was determined by a site visit by a Department representative who found the landward toe of the dune and designated it as the line past which no construction shall occur



1981 Regulations

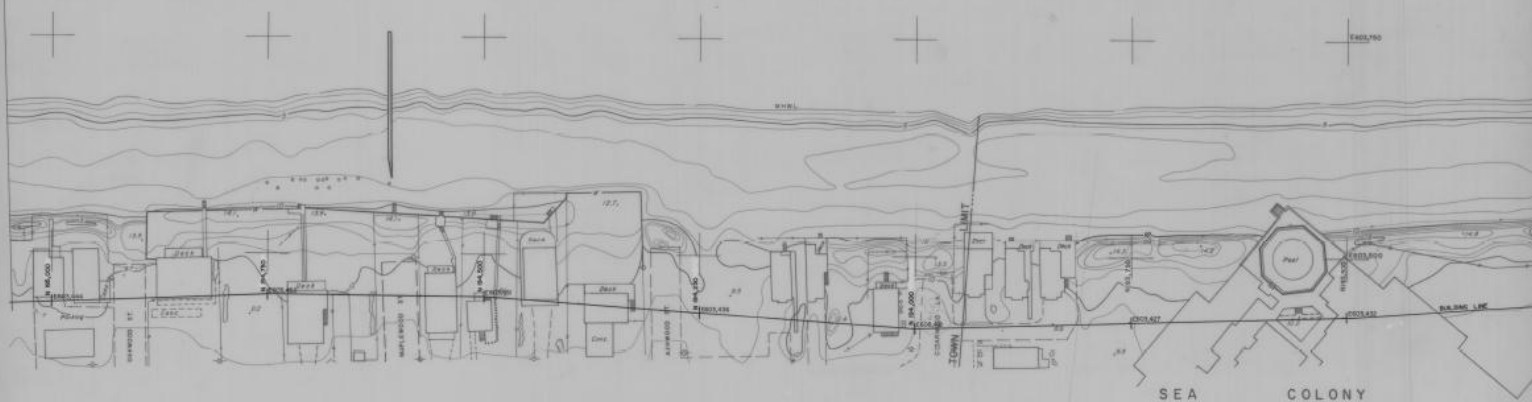
Building Line – means the line generally paralleling the coast, set forth on maps prepared by the Division with reference to the National Geodetic Vertical Datum (NGVD) and the Delaware State Plane Coordinate System, and based upon information provided by topographic survey. The Building Line is located as follows:



- a) Along beaches extending from the Delaware/Maryland line to the tip of Cape Henlopen – 100 feet landward of the adjusted seawardmost 10-foot elevation contour above NGVD;
 - b) Along beaches extending from the tip of Cape Henlopen to the southernmost limit of Primehook Beach – 100 feet landward of the adjusted seawardmost 7-foot elevation contour above NGVD;
 - c) Along beaches extending from the southernmost limit of Primehook Beach to the Old Marina Canal north of Pickering Beach – 75 feet landward of the adjusted seawardmost 7-foot elevation contour above NGVD; or at the landward limits of the Beach, as defined in these Regulations, whichever is most seaward;
 - d) or at the landward limits of the Beach, as defined in these Regulations, whichever is most seaward.
- 



ATLANTIC OCEAN



TOWN OF BETHANY

SEA COLONY

DATE OF PHOTOGRAPH: APR 5, 1974

STATE OF DELAWARE

DEPARTMENT OF HIGHWAYS, DIVISION OF SURVEILLANCE, CONSTRUCTION, AND MAINTENANCE
BUREAU OF AERIAL PHOTOGRAPHY
PHOTOGRAPHIC SURVEY OF DELAWARE BRIDGES
DATE RELEASED TO STATE AND BRIDGE

NO. 100	AUGUST, 1974	BRIDGE NO. 22470-1000A-B
SCALE	1" = 50'	SHEET 11 OF 35

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PHOTO SCIENCE, INC.
DEPARTMENTAL EMPLOYEES

ENGINEERED BY
VINCEMAR & LYNCH, INC.
CONSULTANTS ENGINEERS SURVEYORS
1000 DELAWARE ROAD, P.O. BOX 204
WILMINGTON, DELAWARE 19806



ATLANTIC OCEAN



TOWN OF BETHANY

SEA COLONY

DATE OF PHOTOGRAPH: APR 5, 1974

STATE OF DELAWARE

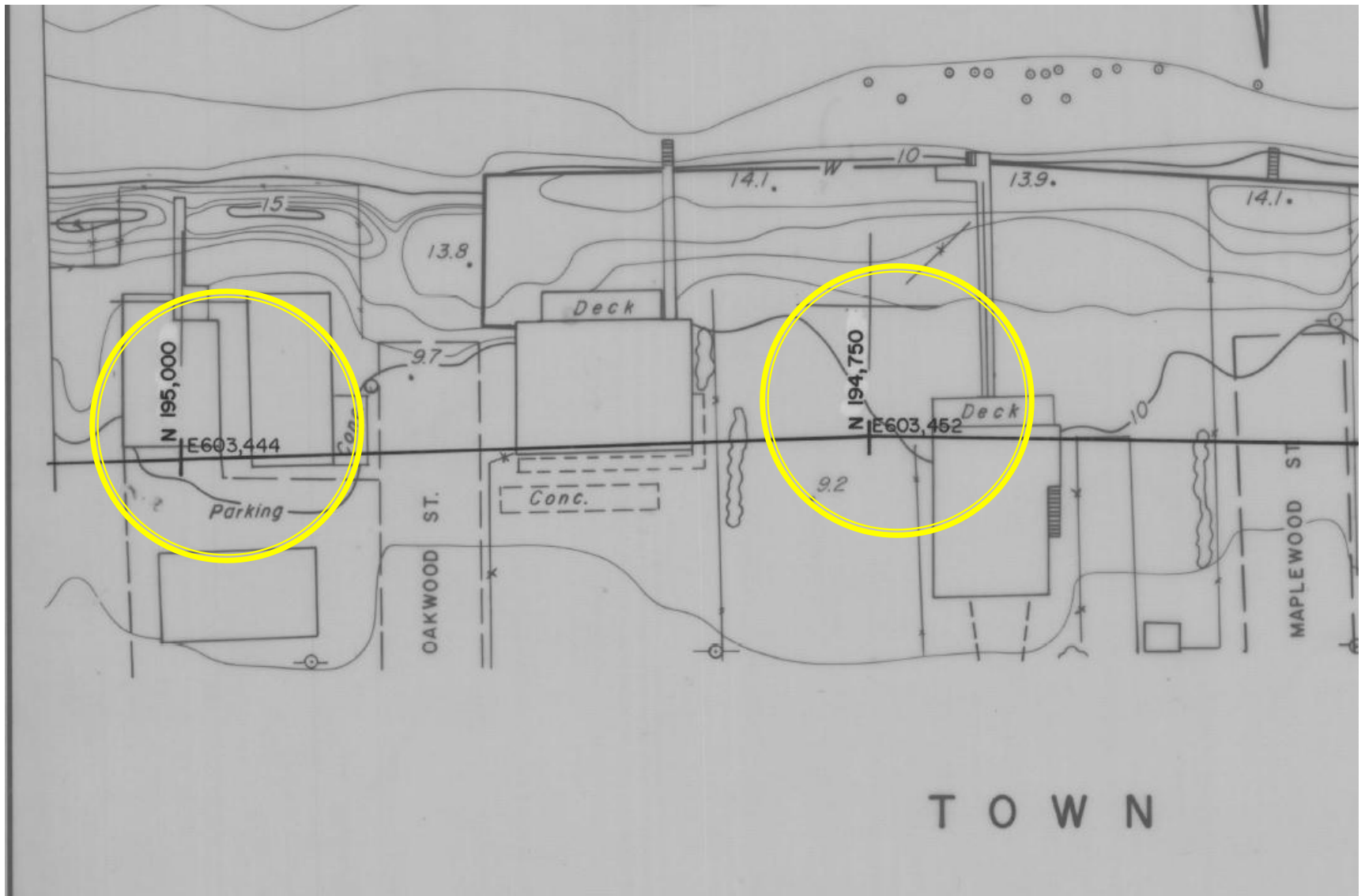
DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS
BUREAU OF HIGHWAYS AND PUBLIC WORKS
DIVISION OF HIGHWAYS AND PUBLIC WORKS
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SHEET
AUGUST, 1974
1 OF 55

PROJECT NO. 2470-1000-6
SHEET 11 OF 55

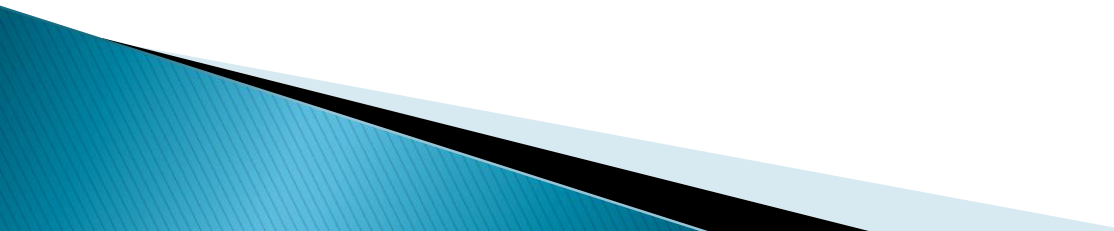


Section 2.13 of Current Regulations

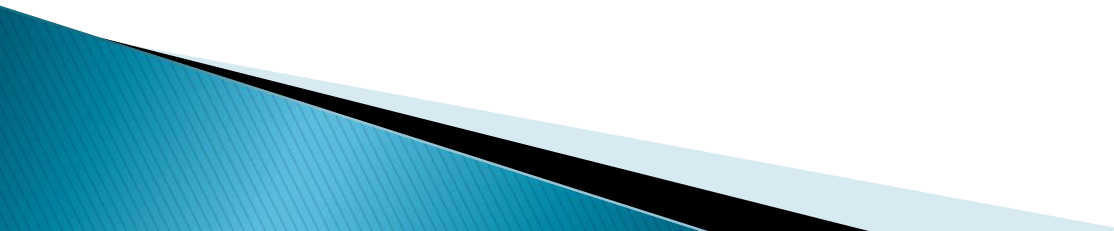
Building Line Re-established

- ▶ When, in the opinion of the Secretary, storms or other natural phenomena cause a substantial permanent change in the seaward contour used to establish the Building Line, the Division may, following public hearing, re-establish the Building Line from information provided by topographic survey

2004 Proposed Regulations:

- ▶ Within the definition – The Building Line shall be set forth on maps prepared by the Department with reference to a **vertical datum commonly used by land surveyors**, the Delaware State Plane Coordinate System and topographical surveys.
 - ▶ Within the corporate limits of Rehoboth Beach and Bethany Beach, in commercial areas containing boardwalks and where no natural dune exists, the Building Line shall be along the westerly edge of the boardwalk.
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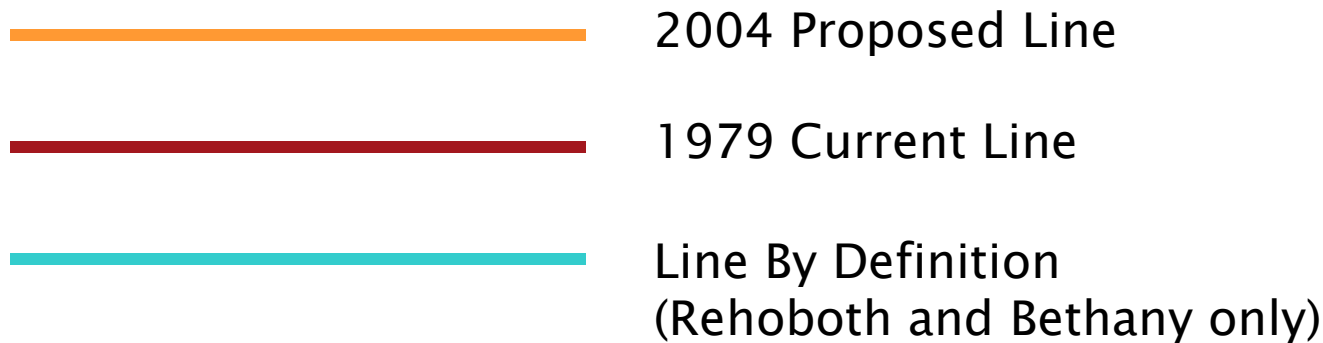
Proposed Section 4.0 –

- a) Along beaches extending from the Delaware/Maryland line to the tip of Cape Henlopen – 100 feet landward of the adjusted seawardmost **9-foot elevation contour above NAVD**;
 - b) Along beaches extending from the tip of Cape Henlopen to the southernmost limit of Primehook Beach – 100 feet landward of the adjusted seawardmost **6-foot elevation contour above NAVD**;
 - c) Along beaches extending from the southernmost limit of Primehook Beach to the Old Marina Canal north of Pickering Beach – 75 feet landward of the adjusted seawardmost **6-foot elevation contour above NAVD**; or at the landward limits of the Beach, as defined in these Regulations, whichever is most seaward;
 - d) or at the landward limits of the Beach, as defined in these Regulations, whichever is most seaward.
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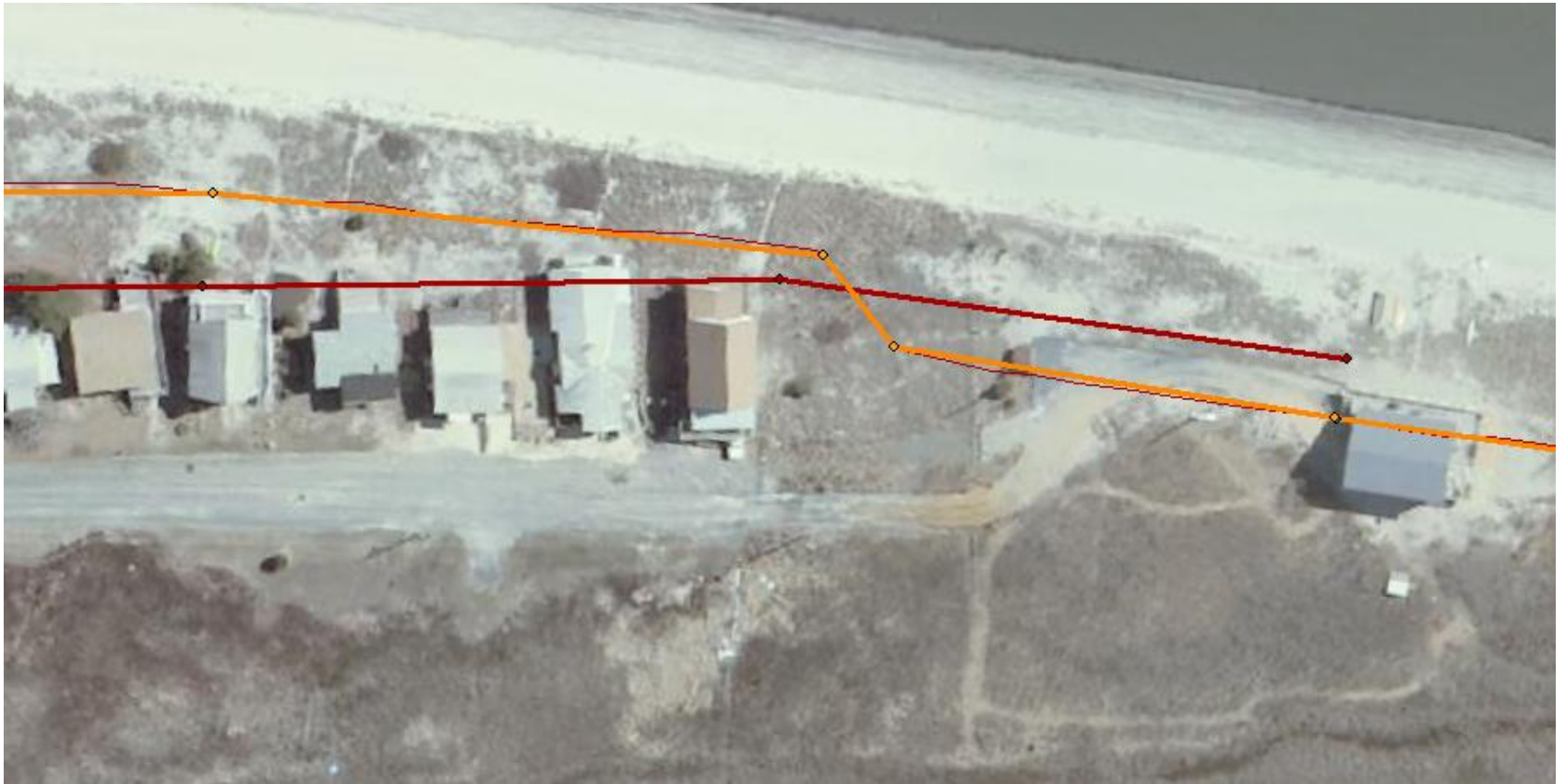
NGVD vs. NAVD

- ▶ NGVD 29 stands for National Geodetic Vertical Datum of 1929. It is a system that has been used by surveyors and engineers for most of the 20th Century. It has been the basis for relating ground and flood elevations, but it has been replaced by the more-accurate North American Vertical Datum of 1988 (NAVD 88).
- ▶ NGVD was originally called Sea Level Datum, but there are local variations caused by currents, wind, barometric pressures, temperature, topography of the sea bed, and salinity differences. So the name was changed in 1973
- ▶ The North American Vertical Datum of 1988 corrects many of the problems with NGVD 29. It is also based on satellite systems that account for differences in gravitational forces in different areas.

After remapping the proposed Building Line in 2004, it was found that the line affects different areas in very different ways



Pickering Beach – moves seaward except at south end



Kitts Hummock Beach – 2004 line shifts landward at north and south ends, but seaward in center of community



South Bowers Beach – 2004 line shifts landward at south end



Big Stone Beach – moves landward



Slaughter Beach – moves seaward
at north end, moves landward at
south end



Prime Hook Beach – not much change except line moves landward at south end (photo taken 2008)



Prime Hook Beach 2002



Broadkill Beach – moves seaward at north end, moves landward in middle and towards south



Lewes Beach –moves landward at west end, moves seaward at east end up to Ferry Terminal



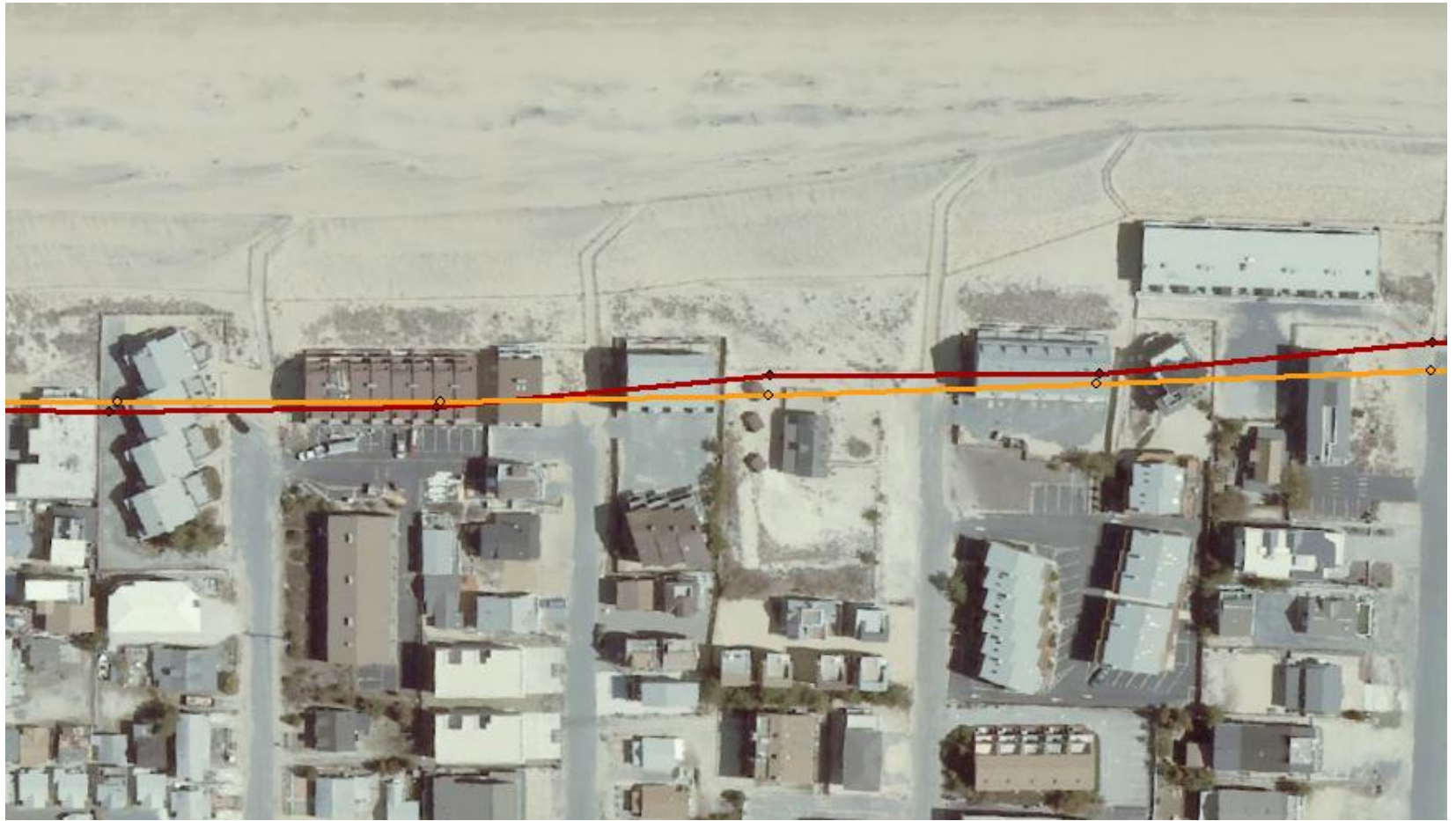
Cape Shores –moves landward at west end



Rehoboth Beach Commercial Area – moves seaward



Dewey Beach – not much change



Indian Beach – moves landward



North Bethany – moves seaward



Bethany Beach Commerical Area – Building Line is edge of Boardwalk



South Bethany –moves landward



North Fenwick – moves landward



Fenwick Island – Hardly any change, slightly seaward

